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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8 SAN JOSE DIVISION

9 Pentech Financial Services, Inc., NO. 09-mc-80014 JW  
10 Plaintiff,  
11 v.  
12 Troy A. Sibson, et al.,  
13 Defendants.

**ORDER DENYING *EX PARTE* MOTION  
FOR ORDER DIRECTING EXECUTION  
ON ASSETS OF JUDGMENT DEBTOR  
AND APPOINTING JUDGMENT  
CREDITOR CUSTODIAN OF PROPERTY  
WITHOUT PREJUDICE TO BE  
RENEWED**

14 \_\_\_\_\_ /  
15 Presently before the Court is Plaintiff and Judgment Creditor's *Ex Parte* Motion for an Order  
16 Directing Execution on Assets of Judgment Debtor. (See Docket Item No. 5.) Judgment Creditor  
17 seeks to have the United States Marshals act on a writ of execution issued by the Clerk of Court on  
18 February 9, 2009. (See Docket Item No. 5.) As Judgment Creditor concedes, however, the February  
19 9, 2009 writ of execution is directed to the County of Santa Clara. (See Docket Item No. 2.)

20 Accordingly, the Court DENIES Judgment Creditor's *Ex Parte* Motion for Order Directing  
21 Execution without prejudice to be renewed after a properly directed writ has been issued by the  
22 Clerk of Court.

23  
24 Dated: February 20, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

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1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 [daphnew@pentechfinancial.com](mailto:daphnew@pentechfinancial.com)

3 Troy A. Sibson  
2325 Farm District Road  
4 Fernley, NV 89408

5 **Dated: February 20, 2009**

6 **Richard W. Wiking, Clerk**

7 **By: /s/ JW Chambers**  
8 **Elizabeth Garcia**  
9 **Courtroom Deputy**